

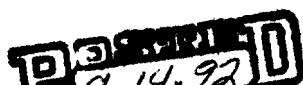
ORIGINAL

**BARAFF, KOERNER, OLENDER & HOCHBERG, P.C.**

ATTORNEYS AT LAW

5335 WISCONSIN AVENUE, N.W., SUITE 300

WASHINGTON, D.C. 20015-2003



RECEIVED

AUG 10 1992

Before the  
**Federal Communications Commission**  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In Re Application of: )  
ASF BROADCASTING CORP. ) File No. BPH-911230MB  
Application for Construction )  
Permit for a new FM station )  
Channel 280A, Westerville, )  
Ohio )

TO: Chief, Audio Services Division

**OPPOSITION TO SUPPLEMENT TO PETITION TO DENY AND DISMISS**

ASF Broadcasting Corp. ("ASF"), by its attorneys, hereby opposes the Supplement to Petition to Deny and Dismiss filed July 29, 1992 by Ohio Radio Associates, Inc. ("ORA"). In response thereto, the following is submitted:

The sole purpose of the Supplement was to bring to the Chief's attention the Commission action in Jemez Mountain Broadcasters, FCC 92-273, released July 1, 1992. ORA neglects to mention, however, that the application there involved was filed on March 10, 1988, well before the effective date of Section 73.215 of the Rules which permits applicants to utilize directional antennas and other techniques in certain short-spaced situations. Accordingly, the applicant in that case could not have requested processing under Section 73.215, as ASF has done. Thus, ORA's cited case is totally inapposite.

Respectfully submitted,

ASF BROADCASTING CORP.

By

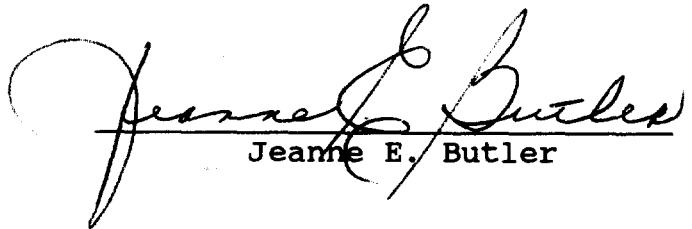
  
James A. Koerner  
Its Attorney

**CERTIFICATE OF SERVICE**

I, Jeanne E. Butler, a secretary in the law offices of Baraff, Koerner, Olender & Hochberg, P. C., do hereby certify that copies of the foregoing "Opposition to Supplement to Petition to Deny and Dismiss" were sent this 10th day of August, 1992, via first class mail, postage prepaid to the following:

Dennis Williams, Chief\*  
FM Branch  
Federal Communications Commission  
1919 M Street, N. W., Room 332  
Washington, D. C. 20554

Stephen T. Yelverton, Esquire  
1130 Connecticut Avenue, N. W.  
Suite 750  
Washington, D. C. 20036-3904

  
Jeanne E. Butler

\*Hand Deliver